IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

WEDNESDAY, THE 14TH MARCH 2007 / 23RD PHALGUNA 1928

Crl.Rev.Pet.No. 372 of 2000()

CC.379/1999 of JUDL.MAGISTRATE OF FIRST CLASS, VADAKARA
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REVN. PETITIONER:

VALSAN, S/O. KANNAN,
PULIYANDIYIL HOUSE,
P.O., PUTHUPPANAM, VADAKARA,

BY ADV. SRI.K.V.SOHAN
SRI.B.PREMNATH (E)

RESPONDENTS:
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1. B.T. MUHAMMED ASLI,
B.T. HOUSE,
P.O., PALLIKKUNNU, KANNUR.

2. STATE REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY ADV. SRI. C.M. KAMMAPPU, PUBLIC PROSECUTOR

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 14/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R. UDAYABHANU, J

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CRL. R.P. NO. 372 OF 2000

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Dated this the 14th day of March 2007

O R D E R

The revision petitioner is the complainant in C.C. No.379/99 who had initiated proceedings under section 138 of the Negotiable Instruments Act which was dismissed vide section 204 (4) Cr.P.C. It is submitted that the process fee could not be remitted on account of the laches on the part of the clerk of the counsel.

2. In the circumstances, the order of the court below is set aside. The court below is directed to further pursue the matter. The revision petitioner shall appear before Judicial First Class Magistrate, Vadakara on 24.04.2007.

The Crl.R.P is allowed accordingly.

K.R. UDAYABHANU, JUDGE.

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